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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

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EDWARD B. EVANS 1936-1971

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May 3, 2004

FACSIMILE COVER SHEET

To: Examiner Benjamin R. Bruckart
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22213-1450

From: Scott A. Stinebruner
Reg. No. 38,323

Fax: 703-872-9306

Re: U.S. Patent Application
Serial No. 09/694,586
Filed: October 23, 2000
Applicant: Timothy Roy Block et al.
Art Unit: 2155
Confirmation No.: 8940
Our Ref: IBM/167

Enclosures:

Fax Cover Sheet containing Certificate of
Facsimile Transmission (1 page)
Transmittal containing Certificate of
Facsimile Transmission (2 pages)
Response (7 pages)

Pages: 10 (including cover sheet)

MESSAGE/COMMENTS
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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and the enclosures noted herein (10 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Benjamin R. Bruckart, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450 at 703-872-9306 on May 3, 2004.

Judith L. Volk
Judith L. Volk

May 3, 2004
Date

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PATENT

Att'y Docket No. IBM/167/124

Confirmation No. 8940**CERTIFICATE OF FACSIMILE TRANSMISSION**

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Judith L. Volk
Judith L. Volk

May 3, 2004
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy Roy Block et al.

Art Unit: 2155

Serial No.: 09/694,586

Examiner: Benjamin R. Bruckart

Filed : October 23, 2000

For : DYNAMIC MODIFICATION OF CLUSTER COMMUNICATION
PARAMETERS IN CLUSTERED COMPUTER SYSTEM

Mail Stop NON-FEE AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. ☒ Transmitted herewith is a Response.
 2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
 - ☐ Enclosed is a verified statement to establish Small Entity status
 - ☒ Other than a Small Entity
3. The fee has been calculated as shown below:

CALCULATION OF FEES

| Fee: | Number of Claims After Amendment: | | Previously Paid For: | No. Extra: | At Rate: | Amount: |
|------------------------------|--------------------------------------|-------|----------------------|------------|----------|---------|
| Total Claims | 31 | minus | 31 | 0 | \$18 | \$0.00 |
| Independent Claims | 7 | minus | 7 | 0 | \$86 | \$0.00 |
| MULTIPLE DEPENDENT CLAIM FEE | | | | | \$290 | \$0.00 |
| TOTAL FEE FOR CLAIMS: | | | | | | \$0.00 |

- ☒ No additional fee for claims is required.

Page 1 of 2
Serial No. 09/694,586
Transmittal for Amendment of May 3, 2004
IBM Docket: ROC920000192US1
WHA&E IBM/167

4. ☐ Attached is a check in the sum of \$_____ for additional claims.
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$_____.

5. **The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.**

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

| | <u>Ext. Mos.</u> | <u>Large entity</u> | <u>Small entity</u> |
|--------------------------|------------------|---------------------|---------------------|
| <input type="checkbox"/> | one month | \$ 110.00 | \$ 55.00 |
| <input type="checkbox"/> | two months | \$ 420.00 | \$ 210.00 |
| <input type="checkbox"/> | three months | \$ 950.00 | \$ 475.00 |
| <input type="checkbox"/> | four months | \$1,480.00 | \$ 740.00 |
| <input type="checkbox"/> | five months | \$2,010.00 | \$1,005.00 |

Extension fee due with this request:

\$

Method of Payment:

Check enclosed in the amount of \$_____.

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured and the fee paid thereof of \$_____ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$_____.

OR

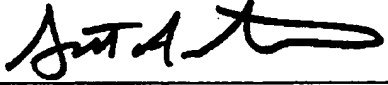
- ☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

6. ☒ If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:


Scott A. Stinebruner
Reg. No. 38,323

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Cincinnati, Ohio 45202-2917
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